IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:
CHARLES KRISTAIN BENNETT
1806 CYNTHIANA LANE
FRANKLIN, TN 37067

Case No. **12-03044-MH3-13**
JUDGE MARIAN F HARRISON
Date: 06/28/2012

SSN XXX-XX-3060

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: July 30, 2012.
IF A RESPONSE IS TIMELY FILED, THE HEARING DATE WILL BE: August 15, 2012 AT 8:30 AM CUSTOMS HOUSE, COURTROOM 1, 701 BROADWAY, 2ND FL, NASHVILLE, TN , 37203.

TRUSTEE'S NOTICE AND MOTION
TO DISALLOW CLAIM OF MCKAYS MILLS MASTER HOA

Henry E. Hildebrand, III, Chapter 13 Trustee, has asked the court for the following relief: **TO DISALLOW .CLAIM OF MCKAYS MILLS MASTER HOA.**

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion or if you want the court to consider your views on the motion, then on or before **July 30, 2012** you or your attorney must:

1. File with the court your response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE IS A MANDATORY ELECTRONIC CASE FILING COURT. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: https://ecf.tnmb.uscourts.gov.**

   If you need assistance with Electronic Case Filing you may call the Bankruptcy Court at (615)736-5584. The Bankruptcy Court may be visited in person at: US Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M.- 4:00 P.M.).

2. **Your response must state that the deadline for filing response is July 30, 2012, the date of the scheduled hearing is August 15, 2012 and the motion to which you are responding is the TRUSTEE'S MOTION TO DISALLOW CLAIM OF MCKAYS MILLS MASTER HOA.**

3. You must serve your response or objection on the movant's attorney **by electronic service through the Electronic Case Filing system** described above.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE**. You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584. If you received this notice by mail, you may have three additional days in which to file a timely response under Rule 9006(f) of the Federal Rules of Bankruptcy Procedure.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: June 28, 2012

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 190664
NASHVILLE, TN 37219-0664
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:
CHARLES KRISTAIN BENNETT
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Case No.**12-03044-MH3-13**

SSN XXX-XX-3060

TRUSTEE'S MOTION TO DISALLOW CLAIM
OF MCKAYS MILLS MASTER HOA (COURT'S CLAIM #9)

Henry E. Hildebrand, III, Standing Trustee for Chapter 13 matters in the Middle District of Tennessee, respectfully requests this Court disallow the claim asserted in the above-styled case, designated as claim #**9** on the Court's claims register and filed with this Court on behalf of **MCKAYS MILLS MASTER HOA.** The Trustee would state that the proof of claim attached to the electronic claims register of the Court fails to satisfy the requirements of Rule 3001 in that the proof of claim does not provide a claim amount and/or is not submitted with a valid signature, either electronic or otherwise.

WHEREFORE, THE PREMISES CONSIDERED, the Trustee requests this Court disallow the claim asserted on behalf of **MCKAYS MILLS MASTER HOA**, in the above styled case.

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 190664
NASHVILLE, TN 37219-0664
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served on CHARLES KRISTAIN BENNETT, 1806 Cynthiana Lane, Franklin, TN 37067 and MARIA M SALAS AT SALAS LAW GROUP, PLLC,33 Music Square West Ste 100 A, Nashville, TN 37203; MCKAYS MILLS MASTER HOA, C/O GHERTNER & CO, 50 VANTAGE WAY, STE 100, NASHVILLE, TN 37228, ;to all other affected creditors and to Ms Beth R Derrick, Assistant US Trustee, 313 Customs House, 701 Broadway, Nashville Tn, 37203, on June 28, 2012.

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
Chapter 13 Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTIRCT OF TENNESSEE

IN RE: CASE NO.**12-03044-MH3-13**

CHARLES KRISTAIN BENNETT
1806 CYNTHIANA LANE
FRANKLIN, TN 37067

SSN XXX-XX-3060

ORDER DISALLOWING CLAIM
OF MCKAYS MILLS MASTER HOA (COURT'S CLAIM #9)

It appearing to the Court, based upon the certification of the Trustee as indicated by his electronic signature below, that the Trustee has filed a Motion to Disallow the Claim asserted in the above case by **MCKAYS MILLS MASTER HOA**, and that pursuant to Rule 9013-1 of the Local Rules of the Bankruptcy Court for the Middle District of Tennessee has forwarded a copy of that motion, along with notice and an opportunity to be heard to the debtor(s), debtor(s) counsel, the creditor(s), and the Assistant U.S. Trustee and that no affected party in interest has objected to or requested a hearing on the Trustee's application, it is

ORDERED, that the claim asserted in the above case on behalf of **MCKAYS MILLS MASTER HOA**, filed with this Court on or about **05/09/12**, in the amount of **$275.00**, designated as claim #**9** on the Court's claims register, is disallowed in that the proof of claim attached to the electronic claims register of the Court fails to satisfy the requirements of Rule 3001.

Approved:

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE.

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 190664
NASHVILLE, TN 37219-0664
PHONE: 615-244-1101
FAX: 615-242-3241
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